

Application No.: 10/733211

Case No.: 59455US002

REMARKS

Claims 1-7, 10-12, 15-17, 20-29, 32-34, 37-39, and 42-44 are pending. Claims 23-29, 32-34, 37-39, and 42-44 are canceled herein without prejudice to their prosecution in an application claiming priority hereto.

§103 Rejections

Claims 1-7, 10-12, 15-17 and 20-21 stand rejected under 35 U.S.C. §103(a) as purportedly unpatentable over USSN 10/712,590 taken in view of JP 54-052690. Applicants respectfully traverse. Under 35 U.S.C. §103(c)(1), the cited reference USSN 10/712,590, cannot be used to preclude patentability under §103. The Examiner has asserted only that this reference could qualify as prior art under subsection (e) of §102 (Office Action mailed 4/27/2005), and has cited no other basis by which this reference could qualify as prior art under §102. As previously noted in the Terminal Disclaimer over that reference previously filed in this case, that application and the present application are owned by the same person. In addition, the subject matter and claimed inventions of these two applications were owned by the same person or subject to an obligation of assignment to the same person at the time the claimed inventions were made.

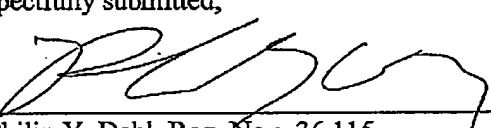
Examination and consideration of the application as amended is requested and allowance of claims 1-7, 10-12, 15-17 and 20-22, as amended, at an early date is solicited.

Respectfully submitted,

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Date

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